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8:23-cv-00668 - Jeffrey S. Beier v. Bank of America N.A. et al

Docket Header Last Updated: 12/21/2023 5:34 pm

ACCO,(JDEx),CLOSED,DISCOVERY,MANADR

UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA (Southern Division - Santa Ana) CIVIL DOCKET FOR CASE #: 8:23-cv-00668-FWS-JDE

Jeffrey S. Beier v. Bank of America N.A. et al

Assigned to: Judge Fred W. Slaughter

Referred to: Magistrate Judge John D. Early

Case in other court: Orange County Superior Court, 30-02023-01312331-CU-OR-CJC

Cause: 28:1441 Notice of Removal - Fair Credit Reporting Act

Date Filed: 04/17/2023

Date Terminated: 05/01/2023

Jury Demand: Plaintiff

Nature of Suit: 480 Consumer Credit

Jurisdiction: Federal Question

Plaintiff

Jeffrey S. Beier

represented by **Sanford C Parke**

Law Offices of Sanford Parke

1913 East 17th Street Suite 212

Santa Ana, CA 92705

714-750-5900

Fax: 714-948-4468

Email: ocattorney@pacbell.net

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

V.

Defendant

Bank of America N.A.

represented by **Douglas C Stastny**

Severson and Werson
19100 Von Karman Avenue Suite 700
Irvine, CA 92612
949-442-7110
Fax: 949-442-7118
Email: dcs@severson.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John Owen Campbell

Severson and Werson APC
19100 Von Karman Avenue Suite 700
Irvine, CA 92612-6578
949-442-7110
Fax: 949-442-7118
Email: owen.campbell@wbd-us.com
ATTORNEY TO BE NOTICED

Defendant

Mortgage Electronic Registration Systems, Inc.

represented by **Douglas C Stastny**

(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John Owen Campbell

(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Wells Fargo Bank, N.A.

represented by **Douglas C Stastny**

(See above for address)

LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John Owen Campbell
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

The Bank of New York Mellon

*Successor Trustee to JPMorgan Chase Bank, N.A. as
Trustee for the Bear Stearns ALT-A Trust, Mortgage Pass-
Through Certificates Series 2005-4
formerly known as
The Bank of New York*

represented by **Douglas C Stastny**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John Owen Campbell
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

The Bank of New York Mellon as Trustee

*on behalf of
Bear Stearns ALT-A Trust 2005-4*

represented by **Douglas C Stastny**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John Owen Campbell
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Wells Fargo Bank N.A. as Trustee

*on behalf of
BSALTA 2005-04*

represented by **Douglas C Stastny**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John Owen Campbell

(See above for address)

ATTORNEY TO BE NOTICED

Defendant

The Bank of New York Mellon

Successor in Interest to JPMorgan Chase Bank, N.A. as

Trustee, BSALTA Trust, 2005-04

formerly known as

The Bank of New York

represented by **Douglas C Stastny**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

John Owen Campbell

(See above for address)

ATTORNEY TO BE NOTICED

Defendant

Clear Recon Corp.

Defendant

JP Morgan Chase Bank N.A.

represented by **Douglas C Stastny**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

John Owen Campbell

(See above for address)

ATTORNEY TO BE NOTICED

Defendant

Does

1 through 50

-
- 04/17/2023 **1** NOTICE OF REMOVAL from Orange County Superior Court, case number 30-2023-01312331 Receipt No: ACACDC-35147039 - Fee: \$402, filed by defendant The Bank of New York Mellon FKA The Bank of New York Successor Trustee to JPMorgan Chase Bank, N.A. as Trustee for the Bear Stearns ALT-A Trust, Mortgage Pass-Through Certificates Series 2005-4, Mortgage Electronic Registration Systems, Inc., The Bank of New York Mellon as Trustee on behalf of Bear Stearns ALT-A Trust 2005-4, JP Morgan Chase Bank, N.A., Bank of America, N.A., Wells Fargo Bank, N.A. as Trustee on Behalf of BSALTA 2005-04, Wells Fargo Bank, N.A., The Bank of New York Mellon FKA The Bank of New York Successor in Interest to JPMorgan Chase Bank, N.A. as Trustee, BSALTA Trust, 2005-04. (Attachments: # 1 State Court Summons and Complain, # 2 Court Set Case Management Conference, # 3 Proposed Order on Ex Parte Application filed 3/15/23, # 4 Ex Parte Application Filed on 3/15/2023, # 5 Declaration for Temporary Restraining Order filed 3/15/23, # 6 Declaration re - Ex Parte Notice filed 3/16/23, # 7 Minutes Finalized for Chambers Work, # 8 Declaration in Support of TRO and Request for OSC filed 3/16/2023, # 9 Proposed Order re Ex Parte Application filed 3/16/23, # 10 Ex Parte Application for TRO and Request for OSC filed 3/16/23, # 11 Declaration re Notice of Ex Parte Application filed 3/16/23, # 12 Declaration re Service of Ex Parte Application filed 3/16/23, # 13 Proposed Order (Not Signed) Filed by Court, # 14 Minute Order on Ex Parte Application, # 15 Proposed Order on Ex Parte Application Filed by Court 3/16/23, # 16 Declaration iso Motion re Peremptory Challenge to Judge, # 17 Minute Order re Peremptory Challenge to Judge, # 18 Notice of Stay of Proceedings, # 19 Case Management Conference Scheduled) (Attorney Douglas C Stastny added to party Bank of America, N.A.(pty:dft), Attorney Douglas C Stastny added to party JP Morgan Chase Bank, N.A.(pty:dft), Attorney Douglas C Stastny added to party Mortgage Electronic Registration Systems, Inc.(pty:dft), Attorney Douglas C Stastny added to party The Bank of New York Mellon FKA The Bank of New York Successor Trustee to JPMorgan Chase Bank, N.A. as Trustee for the Bear Stearns ALT-A Trust, Mortgage Pass-Through Certificates Series 2005-4(pty:dft), Attorney Douglas C Stastny added to party The Bank of New York Mellon FKA The Bank of New York Successor in Interest to JPMorgan Chase Bank, N.A. as Trustee, BSALTA Trust, 2005-04(pty:dft), Attorney Douglas C Stastny added to party The Bank of New York Mellon as Trustee on behalf of Bear Stearns ALT-A Trust 2005-4(pty:dft), Attorney Douglas C Stastny added to party Wells Fargo Bank, N.A. (pty:dft), Attorney Douglas C Stastny added to party Wells Fargo Bank, N.A. as Trustee on Behalf of BSALTA 2005-04(pty:dft))(Stastny, Douglas) (Entered: 04/17/2023)
- 04/17/2023 **2** CIVIL COVER SHEET filed by Defendants Bank of America, N.A., JP Morgan Chase Bank, N.A., Mortgage Electronic Registration Systems, Inc., The Bank of New York Mellon FKA The Bank of New York Successor Trustee to JPMorgan Chase Bank, N.A. as Trustee for the Bear Stearns ALT-A Trust, Mortgage Pass-Through Certificates Series 2005-4, The Bank of New York Mellon FKA The Bank of New York Successor in Interest to JPMorgan Chase Bank, N.A. as Trustee, BSALTA Trust, 2005-04, The Bank of New York Mellon as Trustee on behalf of Bear Stearns ALT-A Trust 2005-4, Wells Fargo Bank, N.A., Wells Fargo Bank, N.A. as Trustee on Behalf of BSALTA 2005-04. (Stastny, Douglas) (Entered: 04/17/2023)
- 04/17/2023 **3** NOTICE of Interested Parties filed by Defendants Bank of America, N.A., JP Morgan Chase Bank, N.A., Mortgage Electronic Registration Systems, Inc., The Bank of New York Mellon FKA The Bank of New York Successor Trustee to JPMorgan Chase Bank, N.A. as Trustee for the Bear Stearns ALT-A Trust, Mortgage Pass-Through Certificates Series 2005-4, The Bank of New York Mellon FKA The Bank of New York Successor in Interest to JPMorgan Chase Bank, N.A. as Trustee, BSALTA Trust, 2005-04, The Bank of New York Mellon as Trustee on behalf of Bear Stearns ALT-A Trust 2005-4, Wells Fargo Bank, N.A., Wells Fargo Bank, N.A. as Trustee on Behalf of BSALTA 2005-04, identifying Bank of America, N.A.; BAC North America Holding Company; NB Holdings Corporation; Bank of America Corporation; Berkshire Hathaway Inc.; Mortgage Electronic Registration Systems, Inc.; MERSCORP Holdings, Inc.; ICE Mortgage Services, LLC; Intercontinental Exchange, Inc., Wells Fargo Bank, N.A.; Wells Fargo & Company; The Bank of New York Mellon; The Bank of New York Mellon Corporation; The Bank of New York Mellon FKA The Bank of New York Successor in Interest to JPMorgan Chase Bank, N.A. as Trustee, BSALTA Trust, 2005-04; The Bank of New York Mellon FKA The Bank of New York Successor Trustee to JPMorgan Chase Bank, N.A. as Trustee for the Bear Stearns ALT-A Trust, Mortgage Pass-Through Certificates Series 2005-4; The Bank of New York Mellon as Trustee on behalf of Bear Stearns ALT-A Trust 2005-4; Wells Fargo Bank, N.A. as Trustee on Behalf of BSALTA 2005-04; JP Morgan Chase Bank, N.A.; JPMorgan Chase & Co.; The Vanguard Group, Inc. (Stastny, Douglas) (Entered: 04/17/2023)
- 04/17/2023 CONFORMED E-FILED COPY OF SUMMONS AND COMPLAINT against Defendants Bank of America N.A., Clear Recon Corp., Does, JP Morgan Chase Bank N.A., Mortgage Electronic Registration Systems, Inc., The Bank of New York Mellon, The Bank of New York Mellon, The Bank of New York Mellon as Trustee, Wells Fargo Bank N.A. as Trustee.,

Date Filed	#	Docket Text
		filed by Plaintiff Jeffrey S. Beier.[FILED IN STATE COURT 03/08/2023 SUBMITTED AS ATTACHMENT NO. 1 EXHIBIT TO THE NOTICE OF REMOVAL 1] (sh) (Entered: 04/18/2023)
04/18/2023	4	NOTICE RE INTRA-DISTRICT TRANSFER by Clerk of Court due to incorrect intra-district venue selected by the filer. Case is transferred to the Southern Division. Case has been assigned to Judge Fred W. Slaughter for all further proceedings. Any matters that may be referred to a Magistrate Judge are assigned to John D. Early. New Case Number 8:23-cv-00668 FWS (JDEx). (sh) (Entered: 04/18/2023)
04/18/2023	5	NOTICE OF ASSIGNMENT to District Judge Fred W. Slaughter and Magistrate Judge John D. Early. (sh) (Entered: 04/18/2023)
04/18/2023	6	NOTICE TO PARTIES OF COURT-DIRECTED ADR PROGRAM filed. (sh) (Entered: 04/18/2023)
04/18/2023	7	Notice to Counsel Re Consent to Proceed Before a United States Magistrate Judge. (sh) (Entered: 04/18/2023)
04/20/2023	8	CIVIL STANDING ORDER by Judge Fred W. Slaughter. (mku) (Entered: 04/20/2023)
04/20/2023	9	PROOF OF SERVICE filed by defendants Bank of America N.A., JP Morgan Chase Bank N.A., Mortgage Electronic Registration Systems, Inc., The Bank of New York Mellon, The Bank of New York Mellon, The Bank of New York Mellon as Trustee, Wells Fargo Bank N.A. as Trustee, Wells Fargo Bank, N.A., re Notice of Removal (Attorney Civil Case Opening),,,,,,,,,, 1 , Certificate/Notice of Interested Parties,,,,,,,, 3 , Civil Cover Sheet (CV-71),, 2 served on 4/18/2023. (Stastny, Douglas) (Entered: 04/20/2023)
04/20/2023	10	NOTICE OF MOTION AND MOTION to Dismiss Case filed by defendants Bank of America N.A., JP Morgan Chase Bank N.A., Mortgage Electronic Registration Systems, Inc., The Bank of New York Mellon, The Bank of New York Mellon, The Bank of New York Mellon as Trustee, Wells Fargo Bank N.A. as Trustee, Wells Fargo Bank, N.A.. Motion set for hearing on 5/25/2023 at 10:00 AM before Judge Fred W. Slaughter. (Attachments: # 1 Request for Judicial Notice; Exhibit 1 - Pooling and Servicing Agreement, # 2 Proposed Order) (Stastny, Douglas) (Entered: 04/20/2023)
04/25/2023	11	ORDER SETTING RULE 26(f) SCHEDULING CONFERENCE by Judge Fred W. Slaughter. Scheduling Conference set for 6/8/2023 at 9:00 a.m. See Order for details. (mku) (Entered: 04/25/2023)
05/01/2023	12	First STIPULATION to Dismiss Case pursuant to Joint Stipulation filed by Plaintiff Jeffrey S. Beier.(Parke, Sanford) (Entered: 05/01/2023)

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	8:23-cv-00668-FWS-JDE Start date: 04/25/2023 End date: 12/21/2023
Pages:	4 (\$0.40)